

DATE 10/31/19
 LOCATION Plano
 JUDGE Kimberly C. Priest Johnson
 DEPUTY CLERK Toya McEwen
 COURT REPORTER Digital Recording
 INTERPRETER: _____
 USPO: J. Jorman & L. Dudley
 BEGIN: 11:33am

CASE NUMBER 4:19-cr-264 SDJ/KPJ
 USA Jay Combs Assigned
 V Jay Combs Appeared

William Grant Allbrook (5)
Risa Young (7)
George Wagner, III (8)
Gina Corbin (9)
Todd Shewmake (10)

Defendants

Rafael de la Garza for James Whalen (5)
 _____ (7)
 _____ (8)
 _____ (9)
 _____ (10)

Attorneys

- ☒ INITIAL APPEARANCE
☐ ARRAIGNMENT as to _____
☐ DETENTION HEARING as to _____

<input checked="" type="checkbox"/> Hearing Held	<input type="checkbox"/> Hearing Called	<input checked="" type="checkbox"/> Defendants Sworn	<input type="checkbox"/> Interpreter required
<input checked="" type="checkbox"/> Dft # 5 appears: <input checked="" type="checkbox"/> with <input type="checkbox"/> without counsel		appearing on Indictment	
<input checked="" type="checkbox"/> Dft # 7 appears: <input type="checkbox"/> with <input type="checkbox"/> without counsel		appearing on Indictment	
<input checked="" type="checkbox"/> Dft # 8 appears: <input type="checkbox"/> with <input type="checkbox"/> without counsel		appearing on Indictment	
<input checked="" type="checkbox"/> Dft # 9 appears: <input type="checkbox"/> with <input type="checkbox"/> without counsel		appearing on Indictment	
<input checked="" type="checkbox"/> Dft # 10 appears: <input type="checkbox"/> with <input type="checkbox"/> without counsel		appearing on Indictment	

- ☒ Defendants 5, 7, 8, 9 & 10 are the individuals named in the Indictment.
☐ Defendant _____ is not the person as named in the Indictment, _____ name given.

- ☒ Date of Arrest All on 10/30/19

Defendants 5, 7, 8, 9 & 10

- ☒ advised of right to counsel ☒ received copy of indictment ☒ waived reading of indictment
☒ advised of charges ☒ advised of maximum penalties

- ☒ DFT # 5 advises the Court that he/she ☒ has counsel who is James Whalen or, ☐ will hire counsel.

- ☐ If dft cannot retain counsel, the court is to be advised within _____ days so counsel may be appointed.

- ☐ DFT # 5 Requests appointed counsel, is sworn & examined re: financial status.

- ☐ Financial affidavit executed by dft. The court finds the defendant ☐ able ☐ unable to employ counsel.

- ☐ _____ appointed ☐ U.S. Pub Defender _____ appointed

- ☒ DFT # 7 advises the Court that he/she ☐ has counsel who is _____ or, ☒ will hire counsel.

- ☐ If dft cannot retain counsel, the court is to be advised within _____ days so counsel may be appointed.

- ☐ DFT # 7 Requests appointed counsel, is sworn & examined re: financial status.

☐ Financial affidavit executed by dft. The court finds the defendant ☐ able ☐ unable to employ counsel.

☐ _____ appointed ☐ U.S. Pub Defender _____ appointed

☒ **DFT # 8** advises the Court that he/she ☐ has counsel who is _____ or, ☐ will hire counsel.

☐ If dft cannot retain counsel, the court is to be advised within _____ days so counsel may be appointed.

☒ **DFT # 8** Requests appointed counsel, is sworn & examined re: financial status.

☒ Financial affidavit executed by dft. The court finds the defendant ☐ able ☒ unable to employ counsel.

☒ CJA to be appointed ☐ U.S. Pub Defender _____ appointed

☒ **DFT # 9** advises the Court that he/she ☒ has counsel who is name not given or, ☐ will hire counsel.

☐ If dft cannot retain counsel, the court is to be advised within _____ days so counsel may be appointed.

☐ **DFT # 9** Requests appointed counsel, is sworn & examined re: financial status.

☐ Financial affidavit executed by dft. The court finds the defendant ☐ able ☐ unable to employ counsel.

☐ _____ appointed ☐ U.S. Pub Defender _____ appointed

☐ **DFT # 10** advises the Court that he/she ☐ has counsel who is _____ or, ☐ will hire counsel.

☐ If dft cannot retain counsel, the court is to be advised within _____ days so counsel may be appointed.

☒ **DFT # 10** Requests appointed counsel, is sworn & examined re: financial status.

☒ Financial affidavit executed by dft. The court finds the defendant ☐ able ☒ unable to employ counsel.

☒ CJA to be appointed ☐ U.S. Pub Defender _____ appointed

☒ ORAL Motion for detention by USA ☒ ORAL Motion for continuance by USA ☒ Oral Order granting ☐ Oral Order denying

☐ Defendants _____ ORAL motion to continue detention hearing ☐ Oral Order granting ☐ Oral Order denying

☒ Detention Hrg set Mon 11/4/19 @ 9:30am } before Judge Nowak in Sherman

☒ Arraignment set Mon 11/4/19 @ 9:30am } for Dfts 7, 8, 9 & 10

☐ Order setting conditions of release _____

☐ Defendant _____ signed Waiver of Detention Hearing and remanded to custody of U.S. Marshal.

☐ Order of Detention

☐ Defendants _____ remanded to custody of U.S. Marshal.

ARRAIGNMENT

☒ Arraignment held. ☐ Arraignment called. ☐ Arraignment reset: Sherman, TX

☒ Dft # 5 ☒ sworn

☒ received copy of charges

☐ discussed charges with counsel

☐ charges read

☒ waived reading of charges

Dft enters a plea of: ☒ not guilty ☐ guilty ☐ nolo ☐ guilty - lesser

to counts: ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ _____

☐ all counts ☒ indictment includes forfeiture provisions

- ☐ Dft # 3 ☐ sworn
☐ received copy of charges ☐ discussed charges with counsel ☐ charges read
☐ waived reading of charges

Dft enters a plea of: ☐ not guilty ☐ guilty ☐ nolo ☐ guilty - lesser

to counts: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ _____

☐ all counts ☐ indictment includes forfeiture provisions

- ☐ Dft # 4 ☐ sworn
☐ received copy of charges ☐ discussed charges with counsel ☐ charges read
☐ waived reading of charges

Dft enters a plea of: ☐ not guilty ☐ guilty ☐ nolo ☐ guilty - lesser

to counts: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ _____

☐ all counts ☐ indictment includes forfeiture provisions

- ☐ Dft # 5 ☐ sworn
☐ received copy of charges ☐ discussed charges with counsel ☐ charges read
☐ waived reading of charges

Dft enters a plea of: ☐ not guilty ☐ guilty ☐ nolo ☐ guilty - lesser

to counts: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ _____

☐ all counts ☐ indictment includes forfeiture provisions

- ☒ Pretrial Discovery and Inspection Order entered. Case set for final pretrial conference / jury selection and trial setting on :

Monday, January 6, 2020 at 9:00 am in Plano, Texas before Judge Sean Jordon *on Dft. #5.*

- ☐ Government motion _____

- ☐ Defendant motion _____

- ☒ Defendants 5, 7, 8, 9 + 10 remanded to custody USM

- ☐ Defendants _____ released on Conditions of Release

OTHER PROCEEDINGS:

- ☒ Recess *11:43 am*